



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

June 17, 2010

Mr. Matt Rexroad
Yolo County Supervisor

REDACTED

RE: **Warning Letter**
FPPC No. 09/833, Matt Rexroad

Dear Mr. Rexroad:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. As you are aware, the Commission received a letter from you self reporting a potential violation of the behested payment reporting provision of the Act. Specifically, the letter states that Yolo County Backpacks for Kids received a contribution of \$5,000 from the Yocha-De-He Community Fund, made at your behest, while serving as a Yolo County Supervisor. The Commission has decided to close this case with this warning letter.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you, as a public official, requested that the Yocha-De-He Community Fund make a payment, at your behest, to Yolo County Backpacks for Kids. The Yocha-De-He Community Fund subsequently agreed to make a payment of \$5,000 on August 11, 2008. Therefore, a behested payment, for which you had reporting obligations under the Act, was made on your behalf.

Under Section 82015, subdivision (b)(2)(B)(iii) of the Act, payments that are made principally for a legislative, governmental or charitable purpose are neither contributions nor gifts to the elected official. However, the payments made at the behest of a candidate who is an elected official must be reported by the official within 30 days following the date on which the payment or payments are made, if they equal or exceed \$5,000 in the aggregate, and are from the same source in the same calendar year.

Although this filing was not made within 30 days of the actual dates of payment, we determined that further enforcement action for the late filing of this report was not warranted since there was little public harm and you self reported this violation.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

You must immediately file a Behested Payment Report, FPPC Form 803, with the Yolo County Elections Office.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Please feel free to contact me with any questions you may have regarding this letter.

Sincerely,

REDACTED

Zachary W. Norton
Commission Counsel
Enforcement Division